

James Madison to George Washington, December 24, 1786. Transcription: The Writings of James Madison, ed. Gaillard Hunt. New York: G.P. Putnam's Sons, 1900-1910.

TO GEORGE WASHINGTON. MAD. MSS.

Richmond, Decr 24, 1786.

Dear Sir, —Your favor of the 16th instant came to hand too late on thursday evening to be answered by the last mail. I have considered well the circumstances which it confidentially discloses, as well as those contained in your preceding favor.¹ The difficulties which they oppose to an acceptance of the appointment in which you are included can as little be denied, as they can fail to be regretted. But I

¹ Washington declined re-election to the presidency of the Society of the Cincinnati, chiefly because he did not wish to participate in a contest over a proposed change in the plan of the society, which was to be discussed at the meeting to be held at Philadelphia in May. He gave, as his reasons for not attending, his occupations, his precarious health, and that he desired to live in retirement. To serve in the federal convention when the Cincinnati were in session might put him in a false position. He finally yielded, however, to the pleadings of his friends. Washington to Madison, December 16, 1786, Ford's *Writings of Washington*, II, 92, *et seq.*

still am inclined to think that the posture of our affairs, if it should continue, would prevent every criticism on the situation which the contemporary meetings would place you in; and that at least a door could be kept open for your acceptance hereafter, in case the gathering clouds became so dark & menacing as to supersede every consideration but that of our national existence & safety. A suspense of your ultimate determination would

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be nowise inconvenient in a public view, as the Executive are authorised to fill vacancies; and can fill them at any time; and, in any event, three out of seven deputies are authorized to represent the State. How far it may be admissible in another view, will depend perhaps in some measure on the chance of your finally undertaking the service; but principally on the correspondence which is now passing on the subject between yourself and the Governor.

Your observations on Tobacco as a commutable in the taxes are certainly just & unanswerable. My acquiescence in the measure was against every general principle which I have embraced, and was extorted by a fear that some greater evil under the name of relief to the people would be substituted. I am far from being sure however that I did right. The other evils contended for have indeed been as yet parried, but it is very questionable whether the concession in the affair of the Tobo. had much hand in it. The original object was paper money. Petitions for graduating certificates succeeded. Next came instalments. And lastly a project for making property a tender for debts at $\frac{1}{2}$ of its value. All these have been happily got rid of by very large majorities. But the positive efforts in favor of Justice have been less successful. A plan for reforming the administration in this branch accommodated more to the general

opinion than the Assize plan got as far as the third reading, and was then lost by a single vote. The Senate would have passed it readily, and would have even added amendments of the right complexion. I fear it will be some time before this necessary reform will again have a fair chance. Besides some other grounds of apprehension, it may well be supposed that the Bill which is to be printed for consideration of the public, will, instead of calling forth the sanction of the wise & virtuous, be a signal to interested men to redouble their efforts to get into the Legislature. The Revenue business is still unfinished. The present rage seems to be to draw all our income from trade. From the sample given of the temper of the House of Delegates on this subject, it is much to be feared that the duties will be augmented with so daring a hand, that we shall drive away our trade instead of making it tributary to our treasury. The only hope that can be indulged is that of moderating the

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fury. The Port bill was defended against a repeal by about 70 votes against about 40. The revised code is not quite finished and must receive the last hand from a succeeding assembly. Several bills of consequence being rendered unfit to be passed in their present form by a change of circumstances since they were prepared, necessarily require revision. Others as the Education bill &c are thought to be adapted only to a further degree of wealth and population. Others, as the Execution bill which subjects lands to debts, do not find yet an adequate patronage. Several bills also, and particularly the bill relating to crimes & punishments, have been rejected, and require reconsideration from another assembly. This last bill after being purged of its objectionable peculiarities, was thrown out on the third reading by a single vote. It will little elevate your idea of our Senate to be told that they negatived the bill defining the privileges of ambassadors, on the principle, as I am told, that an alien ought not to be put on better ground than a citizen. British debts have not yet been mentioned, and probably will not, unless Congress say something on the matter before the adjournment.

With every sentiment of esteem &c &c.